

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

DERRY VAUGHN,)	
)	
Plaintiff,)	
)	
vs.)	CAUSE NO. 3:06-cv-330 RM
)	
JESS ELLIOTT,)	
)	
Defendant.)	

OPINION AND ORDER

On April 30, 2007, pursuant to FED. R. CIV. P. 30(a), the defendant filed a motion to take the plaintiff's deposition. Although the defendant's motion states that the deposition would be "on or prior to June 8, 2007," the deadline for the initiation of discovery, the motion does not state that the deposition has been coordinated with the prison. Because the motion does not state that the prison has been contacted and has agreed to the date and time of the deposition, the defendant's motion (docket # 21) is **DENIED**.

SO ORDERED on May 3rd, 2007.

S/Christopher A. Nuechterlein
Christopher A. Nuechterlein
United States Magistrate Judge